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*Counsel for Defendant Sindicato Nacional Trabajadores
Al Servicio de las Líneas Aéreas, Transportes, Servicios,
Similares, y Conexos*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

GRUPO AEROMÉXICO, S.A.B. de C.V., *et al.*,
Reorganized Debtors.¹

INVICTUS GLOBAL MANAGEMENT LLC,

Plaintiff,

- against -

MONOMOY CAPITAL PARTNERS LLC, and
SINDICATO NACIONAL TRABAJADORES AL
SERVICIO DE LAS LÍNEAS AÉREAS,
TRANSPORTES, SERVICIOS, SIMILARES, Y
CONEXOS,

Defendants.

Chapter 11

Case No. 20-11563 (JPM)

(Jointly Administered)

**Adv. Pro. No. 22-01122
(JPM)**

INDEPENDENCIA'S NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT

PLEASE TAKE NOTICE that, upon (i) the accompanying Memorandum of Law, (ii) the Declaration of James N. Lawlor, dated September 29, 2022, and the exhibits thereto, and (iii) all

¹ The Reorganized Debtors are Grupo Aeroméxico, S.A.B. de C.V., Aerovías de México, S.A. de C.V., Aerolitoral, S.A. de C.V., and Aerovías Empresa de Cargo, S.A. de C.V.

prior pleadings and proceedings herein, Defendant Sindicato Nacional Trabajadores Al Servicio de las Líneas Aéreas, Transportes, Servicios, Similares, y Conexos (“Independencia”) will move this Court, before the Honorable John P. Mastando III, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, Courtroom 501 (JPM), New York, New York, 10004, at a date and time to be determined by the Court, for an Order dismissing with prejudice the claims asserted against it in the Complaint, pursuant to Fed. R. Civ. Proc. 12(b)(6), made applicable by Fed. R. Bankr. Proc. 7012(b), and for such other and further relief as the Court may deem just and proper (the “Motion”).

PLEASE TAKE FURTHER NOTICE that, pursuant to and in accordance with the Court’s September 8, 2022 Order on the Stipulation of Briefing Schedule and Related Matters Regarding (1) Plaintiff’s Motion for Remand and/or Abstention, (2) Defendants’ Motions to Dismiss, and (3) Reorganized Debtors’ Motion to Enforce [ECF No. 24], oppositions, if any, shall be filed and served no later than December 5, 2022.

PLEASE TAKE FURTHER NOTICE that, unless an objection is timely filed and served, the Motion will be deemed uncontested in accordance with Local Rule 9075-2 and the relief may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is annexed as Exhibit C to the Motion.

Dated: New York, New York
September 29, 2022

/s/ James N. Lawlor
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James N. Lawlor
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